

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Nov 12, 2020**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nathan Mountain Chief Case Number: 0980 2:18CR00178-RMP-1
 Address of Offender: Spokane, WA 99260
 Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge
 Date of Original Sentence: March 6, 2019
 Original Offense: Escape from Custody, 18 U.S.C. §§ 751(a), 4082(a)
 Original Sentence: Prison - 6 Months; Type of Supervision: Supervised Release
 TSR - 12 Months
 Modified Sentence: Prison - No time imposed;
 (May 18, 2020) TSR - 24 Months
 Asst. U.S. Attorney: George J. C. Jacobs, III Date Supervision Commenced: May 17, 2019
 Defense Attorney: Federal Defender's Office Date Supervision Expires: May 16, 2022

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 06/30/2020, 07/07/2020, 08/06/2020, and 10/23/2020.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
8	<u>Mandatory Condition #1:</u> You must not commit another federal, state or local crime.
9	<u>Mandatory Condition #2:</u> You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: Mr. Nathan Mountain Chief is alleged to have violated mandatory condition number 1, and mandatory condition number 2, on or about November 6, 2020, by being arrested in the city of Spokane with charges now being requested in Spokane County Superior Court for Controlled Substance Possession, in violation of R.C.W. 69.50.4013, a Class C felony.

On May 20, 2019, Mr. Chief signed his conditions relative to case number 2:18CR00178-RMP-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Chief was made aware by his U.S. probation officer that he was required to refrain from committing another federal, state or local crime and that he was to refrain from unlawfully possessing a controlled substance.

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Specifically, on November 6, 2020, an automated notification was received by the U.S. Probation Office in Spokane serving to notify the agency that the client's name had been run by law enforcement. Police reports documenting law enforcement's encounter with the client were subsequently received by the U.S. Probation Office on the day in question.

According to police reports, on November 6, 2020, at approximately 3:19 a.m., law enforcement was conducting patrol operations near the area of South Monroe Street and West Second Avenue in Spokane, when a male, later identified as Mr. Chief, was observed riding his bicycle southbound without a white light being mounted to his bicycle. Mr. Chief was stopped by law enforcement and questioned, at which time Mr. Chief presented the investigating officer with a name of "Curtis L. Bearstail" with an apparent fictitious date of birth. Upon attempting to run the name through dispatch, the investigating officer learned that no record existed relative to the name.

The officer, suspecting that Mr. Chief had provided him with a false name, detained Mr. Chief and conducted a tattoo search through police dispatch, later confirming his correct identity, and subsequently learning of his current federal warrant. Mr. Chief was searched incident to arrest by the investigating officer at which time numerous hypodermic needles were located, along with a small black soft fabric case in which the following items were located: "a small baggie containing a white crystal like substance, three small bindles wrapped together, each containing a white crystal like substance, and a small piece of folded paper that contained a white crystal like substance."

The investigating officer then performed a field test on the white crystal like substance located within the small piece of folded paper and the sample field tested presumptive positive for methamphetamine. Mr. Chief was read his constitutional rights and he advised he would speak with the officer. Mr. Chief advised that all of the methamphetamine located was for his personal use and he was not selling. Mr. Chief further advised that he had purchased the substance from an individual in Riverfront Park. The officer determined that probable cause existed to arrest Mr. Chief for possession of a controlled substance, and Mr. Chief was subsequently booked into the Spokane County Jail.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 10, 2020

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

11/11/2020

Date